



## **CASE REPORT**

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| 1. Complaint reference number | 431/09  |
| 2. Advertiser                 | Jeans West  |
| 3. Product                    | Clothing  |
| 4. Type of advertisement      | Print   |
| 5. Nature of complaint        | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination      | Wednesday, 23 September 2009                        |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

Transport advertisement showing young Japanese Geisha-like women sitting ceremoniously. The woman standing is blonde and caucasian wearing tight fitting denim jeans. The caption: "honour the denim".

## **THE COMPLAINT**

A sample of comments which the complainant/s made regarding this advertisement included the following:

*I believe that this ad is racist and is derogatory to the Japanese (I'm not even Japanese).*

*While I understand the message centres on honouring the denim, the fact the Japanese are on their knees and caucasians are standing is offensive.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*We write in response to the complaint received regarding Jeanswest's "Honour the Denim" window posters, to address issues which may fall within section 2 of the AANA Advertiser Code of Ethics, specifically sub section 2.1 .*

*We have reviewed the complaint submitted, which appears to be centred on the concern that the imagery is derogatory to the Japanese.*

*It's our firm belief that the complaint is without foundation and we anticipate the following explanation of the campaign development will serve to satisfactorily dismiss any concern.*

*The execution in question is part of a broader campaign to launch a new range of authentic Japanese denim. The campaign included store windows, billboards, magazines, website and a tram.*

*The launch of Japanese denim is a very exciting initiative for Jeanswest. Japanese culture is known for its attention to detail and their jeans are no exception. The heavier denim weight, using traditional indigo dye means that their denim has a superior look and feel. Until a few years ago, Japanese denim was very hard to come across outside of Japan and due to the labour-intensive production, it was very expensive. Only designer labels used the denim and even today, it is considered to be extremely high quality. Jeanswest have developed good relationships with suppliers in Japan to bring a quality product to Australia at accessible prices.*

*Our launch campaign attempts to communicate the widely recognised traditional Japanese values*

*of respect and passion for quality. We believe the headline and imagery for our “Honour the denim” campaign lauds the Japanese product. In fact, the intention is quite the opposite of being derogatory.*

*Prior to shooting the campaign we took great care in getting advice on how to approach the positions of the talent. We learnt that kneeling is a common way of showing respect. Even amongst friends, Japanese men and women like to kneel together (instead of sit) and have tea. The connotation is much different to the complainant’s sense of subservience.*

*Although it does not affect judgement on the complaint, it may be of interest that Jeanswest is a Chinese company, the art director who developed the ad is Asian and the Japanese models who were involved in the shoot absolutely loved the concept.*

*Jeanswest and its agencies are strong supporters of the AANA Code of Ethics and we take these matters very seriously. In this instance, we believe it to be without foundation.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”). The Board then considered the advertisement under the provisions of the Code of Ethics.

The Board noted the complainants' concerns that the advertisement denigrated people from Japan by placing woman dressed as traditional Japanese Geisha woman in a kneeling position and a caucasian woman in the foreground.

The Board considered the application of Section 2.1 of the Code, relating to discrimination and vilification on the basis of nationality.

The Board noted that the advertisement was for the promotion of jeans that had been made from Japanese denim - a well-known superiod type of denim that is of luxury quality. The Board did not consider that the depiction of the caucasian female in the advertisement was an implication that the caucasian woman was superior or that the Geisha women were honouring her. The overall tone of the advertisement, was to pay homage to the superiority of japanese denim and that the Geisha women were portrayed in a manner which was in accordance with traditional Geisha custom and tradition.

The Board considered the depictions were not derogatory or denigrating of any of the nationalities, but were simply aimed at emphasising the superiority of the product and therefore did not breach section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.